

**Before the
Federal Communications Commission
Washington, D.C. 20554**

Communications Vending Corporation of Arizona, Inc.)	
)	
Complainant,)	
)	
v.)	File No. EB-02-MD-019
)	
Qwest Corporation f/k/a US West Communications, Inc.)	
and as Successor-In-Interest to Mountain Bell Telephone)	
Company,)	
Defendant,)	
)	
IMR Capital Corporation,)	
)	
Complainant,)	
)	
v.)	File No. EB-02-MD-020
)	
Verizon New England, Inc. f/k/a/ New England)	
Telephone Company,)	
)	
Defendant,)	
)	
Indiana Telcom Corporation, Inc.)	
)	
Complainant,)	
)	
v.)	File No. EB-02-MD-026
)	
Verizon North, Inc. f/k/a GTE North, Incorporated and as)	
Successor-In-Interest to Contel of Indiana, Inc.)	
)	
Defendant,)	
)	
National Telecoin Corporation)	
)	
Complainant,)	
)	
v.)	File No. EB-02-MD-027
)	
Verizon Delaware, Inc. f/k/a Bell Atlantic-Delaware,)	
Inc.; Verizon New Jersey, Inc. f/k/a Bell Atlantic-New)	
Jersey, Inc.; and Verizon Pennsylvania, Inc. f/k/a Bell)	
Atlantic-Pennsylvania, Inc.)	
)	
Defendant.)	

ORDER**Adopted: November 21, 2005****Released: November 29, 2005**

By the Deputy Chief, Market Disputes Resolution Division:

1. On April 26, 2002, each of the above-captioned complainants filed with this Commission a separate formal complaint against the above-designated defendants asserting that the Defendants violated sections 201(b) and 203(c) of the Communications Act of 1934, as amended (the “Act”) and Part 69 of the Commission’s rules¹ by improperly assessing end user common line (“EUCL”) charges on the Complainant’s payphones.²

2. On October 13, 2005, Complainants IMR, Indiana and National filed motions requesting that we dismiss the applicable formal complaint in this proceeding with prejudice, as the parties have settled their dispute.³ We grant each of the Complainants’ motions to dismiss the formal complaint, with prejudice. We find that dismissal at this stage is appropriate and will serve the public interest by promoting the private resolution of disputes and eliminating the expenditure of further time and resources of the parties and the Commission.

¹ 47 U.S.C. §§ 201(b) and 203(c); Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. (1996); 47 C.F.R. §§ 69.1 *et seq.*

² *Communications Vending Corporation of Arizona, Inc. v. Qwest Corporation f/k/a US West Communications, Inc.*, Supplement to Formal Complaint, File No. EB-02-MD-019 (filed Apr. 26, 2002); *IMR Capital Corporation v. Verizon New England, Inc. f/k/a New England Telephone Company*, Supplement to Formal Complaint, File No. EB-02-MD-020 (filed Apr. 26, 2002); *Indiana Telcom Corporation, Inc. v. Verizon North, Inc. f/k/a GTE North, Inc.*, Supplement to Formal Complaint, File No. EB-02-MD-026 (filed Apr. 26, 2002); *National Telecoin Corporation v. Verizon Delaware, Inc. f/k/a Bell Atlantic-Delaware, Inc.*, Supplement to Formal Complaint, File No. EB-02-MD-027 (filed Apr. 26, 2002).

³ *IMR Capital Corporation v. Verizon New England, Inc. f/k/a New England Telephone Company*, Notice of Settlement and Motion to Dismiss Formal Complaint With Prejudice, File No. EB-02-MD-020 (filed Oct. 13, 2005); *Indiana Telcom Corporation, Inc. v. Verizon North, Inc. f/k/a GTE North, Inc.*, Notice of Settlement and Motion to Dismiss Formal Complaint With Prejudice, File No. EB-02-MD-026 (filed Oct. 13, 2005); *National Telecoin Corporation v. Verizon Delaware, Inc. f/k/a Bell Atlantic-Delaware, Inc.*, Notice of Settlement and Motion to Dismiss Formal Complaint With Prejudice, File No. EB-02-MD-027 (filed Oct. 13, 2005); *Communications Vending Corporation of Arizona, Inc. v. Qwest Corporation f/k/a US West Communications, Inc.*, Notice of Settlement and Motion to Dismiss Formal Complaint With Prejudice, File No. EB-02-MD-019 (filed Oct. 21, 2005).

3. ACCORDINGLY, IT IS ORDERED, pursuant to sections 1, 4(i), 4(j), and 208 of the Communications Act, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), 208, sections 1.720-1.736 of the Commission's rules, 47 C.F.R. §§ 1.720-1.736, and the authority delegated by sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111 and 0.311, that the above-captioned complaints ARE DISMISSED WITH PREJUDICE in their entirety and the proceedings ARE TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION

Rosemary McEnery, Deputy Chief
Market Disputes Resolution Division
Enforcement Bureau